

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

**ENTERED**

**MAY 14 2004**

TERESA L. DEPPNER, CLERK  
U.S. District & Bankruptcy Courts  
Southern District of West Virginia

IN RE: SERZONE PRODUCTS  
LIABILITY LITIGATION

MDL NO. 1477

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THIS DOCUMENT RELATES TO ALL CASES

**PRETRIAL ORDER #13**

**Extension of Class Certification Deadlines**

For reasons appearing to the court, the status conference scheduled for May 19, 2004, is **CANCELED**.

The following dates are set as class certification deadlines herein and those dates previously established in earlier pretrial orders are hereby vacated.

1. **Depositions of Putative Class Representatives.** Depositions of all putative class representatives shall be completed by **July 6, 2004**.

2. **Disclosure/Discovery of Plaintiffs' Experts.** Plaintiffs shall furnish to Defendants the identity and reports of all experts, if any, to be used in support of any Motion to Certify Class Action in accordance with *Fed. R. Civ. P.* 26(a)(2)(B) along with the dates each such expert is available for deposition by **July 6, 2004**. Defendants shall complete the depositions of Plaintiffs' experts by **August 23, 2004**.

3. **Disclosure/Discovery of Defendants' Experts.** Defendants shall furnish to Plaintiffs the identity and reports of all experts, if any, to be used in conjunction with class certification issues in accordance with *Fed. R. Civ. P.* 26(a)(2)(B) along with the dates each such expert is available for deposition by **September 3, 2004**. Plaintiffs shall complete the depositions of Defendants' experts by **October 15, 2004**.

4. **Class Certification Motions.** Plaintiffs' Lead Counsel shall file any Motion to Certify Class Action together with supporting Memoranda, exhibits, and affidavits by **October 29, 2004**. The Memorandum shall be limited to fifty (50) pages exclusive of attachments. Defendants shall file any Memorandum in Opposition to Plaintiffs' Motion for Class Certification, together with exhibits, affidavits, and depositions by **December 14, 2004**. The Memorandum shall be limited to fifty (50) pages exclusive of attachments. Plaintiffs' Lead Counsel shall file any Memorandum in Reply to Defendants' opposition for class certification by **December 28, 2004**. The Reply shall be limited to twenty (20) pages exclusive of attachments.

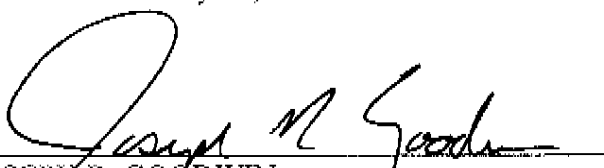
5. **Hearing.** The hearing on any Motion to Certify Class Action shall be on **January 24, 2005, at 10:00 a.m.**

6. **Status Conferences.** Monthly status conferences will be held at **11:00 a.m.** on each of the following dates: **June 23, July 21, August 18, September 22, October 20, November 17, 2004, and December 22, 2004**. These dates will not be changed except by unanimous consent of all parties and by leave of court. In the event that this court determines that a scheduled status conference is not needed, the court will cancel that conference and notify Liaison Counsel of the cancellation. Additional conferences may be ordered from time to time by the court. Any attorney representing any party, or any party unrepresented by counsel, may attend status conferences, but

only Liaison and Lead Counsel, or such other counsel as the court may permit, may actively participate in the status conferences. The Executive Committee may actively participate in the status conferences to the extent that the conference deals with issues under the control and management of the Executive Committee. The status conferences may be held before the Honorable Joseph R. Goodwin, United States District Judge, or the Honorable Mary E. Stanley, United States Magistrate Judge, or both.

The court **DIRECTS** the Clerk to send a copy of this Order to Defendants' Liaison Counsel and Plaintiffs' Liaison Counsel.

ENTER: May 14, 2004

  
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JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE